

RONALD W. MAKAREM, CA Bar No. 180442  
makarem@law-rm.com  
Daniel J. Bass, CA Bar No. 287466  
bass@law-rm.com  
MAKAREM & ASSOCIATES, APLC  
11601 Wilshire Boulevard, Suite 2440  
Los Angeles, California 90025-1760  
Telephone: 310-312-0299  
Facsimile: 310-312-0296

Attorneys for Plaintiff JAMEELAH  
FATIMAH SCOTT

JOSHUA D. KIENITZ, Bar No. 244903  
jkienitz@littler.com  
LITTLER MENDELSON, P.C.  
Treat Towers 1255 Treat Boulevard Suite 600 Walnut Creek,  
CA 94597  
Telephone: 925.932.2468  
Fax No.: 925.946.9809

HEATHER LANYI, Bar No. 341790  
hlanyi@littler.com  
HARMAN DEOL, Bar No. 346547  
hdeol@littler.com  
LITTLER MENDELSON, P.C.  
333 Bush Street, 34th Floor San Francisco, CA 94104  
Telephone: 415.433.1940  
Fax No.: 415.399.8490  
Attorneys for Defendant  
PACIFIC GAS AND ELECTRIC COMPANY

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

JAMEELAH FATIMAH SCOTT, individually,  
and on behalf of all others similarly situated,

Plaintiff,

v.

PACIFIC GAS AND ELECTRIC COMPANY,  
and Does 1 through 20, inclusive,

Respondent.

Case No. 3 :23-cv-01484-AMO

**JOINT STIPULATION AND  
[PROPOSED] ORDER TO EXTEND  
DEADLINE FOR PLAINTIFF'S  
OPPOSITION TO DEFENDANT'S  
MOTION TO DISMISS AND  
DEFENDANT'S REPLY TO  
PLAINTIFF'S OPPOSITION**

**TO THE CLERK OF THE UNITED STATES DISTRICT COURT, NORTHERN  
DISTRICT OF CALIFORNIA:**

Pursuant to the Northern District of California Local Rule 7-12, the undersigned counsel of record of Defendant Pacific Gas and Electric Company (“Defendant”) and Plaintiff Jameelah Fatimah Scott (“Plaintiff”) (collectively with Defendant “Parties”) submit this stipulation requesting that the Court extend Plaintiff’s deadline to file an opposition to Defendant’s Motion to Dismiss (Dkt. 16) and Defendant’s deadline to file a reply to Plaintiff’s Opposition to Defendant’s Motion to Dismiss, and continue the hearing on the Motion.

**I. Recitals**

On February 10, 2023, Plaintiff filed a class action complaint against Defendant in San Francisco County Superior Court alleging wage and hour violations of (1) Recovery of Unpaid Minimum Wages, (2) Recovery of Unpaid Overtime Wages, (3) Failure to Provide Meal Periods, (4) Failure to Provide Rest Periods, (5) Waiting Time Penalties, and (7) Unfair Competition (“Complaint”). Declaration of Daniel J. Bass (“Bass Decl.”), ¶ 2. On March 29, 2023, Defendant removed the action to the United States District Court for the Northern District of California. Dkt. No. 1. On April 12, 2023, Defendant filed a Motion to dismiss Plaintiff’s Complaint pursuant to Federal Rules of Civil Procedure 12(b)(6) (“Motion to Dismiss”). Dkt. No. 16.

Plaintiff’s deadline to move to remand this matter is April 28, 2023. Pursuant to Northern District of California Local Rule 7-3(a), Plaintiff’s Opposition to Defendant’s Motion to Dismiss is currently due two days prior on April 26, 2023. Additionally, pursuant to Northern District of California Local Rule 7-3(c), Defendant’s reply to plaintiff’s opposition is currently due on May 3, 2023. The hearing on Defendant’s Motion to Dismiss is set for May 18, 2023 at 2:00 p.m.

Parties’ counsels have been meeting and conferring regarding several preliminary issues in this matter since before it was removed. (Bass Decl. ¶ 5.) On April 13, 2023, the parties met and conferred by telephone and discussed seeking the extension in this stipulation in order to allow time to continue their meet and confer efforts. (*Id.* ¶ 6.) Parties’ counsel spoke again on April 19 and 21, 2023 and agreed to a short, stipulated continuance in order to further discuss Plaintiff potentially filing a Motion to Remand and the potential amendment of the operative

1 Complaint. (*Id.* ¶ 7.)

2 The parties now request that the deadlines for Plaintiff's opposition and Defendant's reply  
3 be extended as follows to allow the parties to meet and confer regarding remand, a possible  
4 amended complaint and withdrawal of the pending motion to dismiss. (Bass Decl. ¶ 8.)

5 A. New deadline for Plaintiff's Opposition to Defendant's Motion to Dismiss:  
6 May 10, 2023;

7 B. New deadline for Defendant's Reply to Plaintiff's Opposition to Defendant's  
8 Motion to Dismiss: May 17, 2023.

9 There have not been any previous time modifications in the case, whether by stipulation or  
10 Court order. (Bass Decl. ¶ 9.) The requested time modifications should not have any impact on  
11 the schedule of the case as the case is in its infancy and was recently removed and assigned to this  
12 Court. (Bass Decl. ¶ 10.)

13 **II. Stipulation**

14 Pursuant to the forgoing recitals, which are incorporated herein by this reference, and  
15 subject to the Court's approval, the Parties stipulate and agree as follows:

16 Plaintiff's opposition and Defendant's reply deadlines are extended as follows:

17 A. Plaintiff's deadline to file an Opposition to Defendant's Motion to Dismiss  
18 shall be May 10, 2023;

19 B. Defendant's deadline to file a Reply to Plaintiff's Opposition to Defendant's  
20 Motion to Dismiss shall be May 17, 2023; and

21 C. The hearing on Defendant's Motion to Dismiss shall be continued to June 1,  
22 2023 at 2:00 p.m. or to a time and date thereafter convenient to the Court.

23 IT IS SO STIPULATED.

24 Dated: April 21, 2023

**LITTLER MENDELSON, P.C.**

25  
26 By: /s/ JOSHUA D. KIENITZ  
27 JOSHUA D. KIENITZ  
28 Attorneys for Defendant, Pacific Gas And  
Electric Company

1  
2 Dated: April 21, 2023

**MAKAREM & ASSOCIATES, APLC**

3 By: /s/ Daniel J. Bass<sup>1</sup>  
4 Daniel J. Bass  
5 Attorneys for Plaintiff, Jameelah Fatimah  
6 Scott  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

27 \_\_\_\_\_  
28 <sup>1</sup> The e-filing attorney hereby attests that concurrence in the content of the foregoing document and authorization to file the foregoing document has been obtained from the other signatory indicated by a conformed signature (/s) with the foregoing e-filed document.


**[PROPOSED] ORDER**

Pursuant to the above Stipulation, Plaintiff's opposition and Defendant's reply deadlines are hereby extended as follows:

- A. Plaintiff's deadline to file an Opposition to Defendant's Motion to Dismiss shall be May 10, 2023;
- B. Defendant's deadline to file a Reply to Plaintiff's Opposition to Defendant's Motion to Dismiss shall be May 17, 2023; and
- C. The hearing on Defendant's Motion to Dismiss shall be June 1, 2023 at 2:00 p.m.

IT IS SO ORDERED.

Dated: 04/24/2023

  
\_\_\_\_\_  
Hon. Araceli Martinez-Olguin  
United States District Judge